



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

Oscar James Chapman 3548901

(Enter above the full name of the plaintiff  
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:20-cv-00725  
(Number to be assigned by Court)

Mt Olive Correctional Complex →  
→ Officer Smith → 3 other  
→ Officer Thomas unnamed Officers  
→ Dr. Lyle

(Enter above the full name of the defendant  
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes \_\_\_\_\_

No ☒

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs:

Defendants:

2. Court (if federal court, name the district; if state court, name the county):

3. Docket Number:

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit:

7. Approximate date of disposition:

II. Place of Present Confinement: North Central Regional Jail

A. Is there a prisoner grievance procedure in this institution? no, but Yes To  
 Yes ☒ No ☐ \* Mt. Olive Correctional Complex - previous

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Former  
 Yes ☒ No ☐ Confidential

C. If your answer is YES:

1. What steps did you take? filed a grievance, had my mother contact ACLU, NAACP, Attorneys  
NAACP dropped the ball, ACLU sent my mother a letter but she had moved & didn't get the letter.
2. What was the result? After almost two yrs fighting for me contacting various attorneys, my mother contacted the ACLU, who put us in contact w/ The Mountain State Justice Ludd Milnes who ~~also~~ obtained med. file + records

D. If your answer is NO, explain why not: Case not against NCRJ, but Mt. Olive Correctional Complex.

### III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Oscar James Chapman IV #3548901 (4)  
 Address: 1 Lois Ln, Greenwood, WV 26415  
~~1 Mountain side~~

B. Additional Plaintiff(s) and Address(es): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[illegible]

1947-1948

Contacted

Attorney's

Buckner  
~~Russell~~, Erick 304 431 4050

Matthews Allissue 404 554 8777

Larry ~~Br~~ Esq 304 345 3900

Michael ~~Q~~ 304 343 4440  
Del Guidice

Mike A ~~E~~ 304 522 6249  
~~Area~~ Woelfel

Kerry ~~Pr~~ West 304 692 6377

Morgan & Morgan 215 515 0363

no help

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

- C. Defendant: Dr. Lyle  
 is employed as: Physician @ Mt. Olive Correctional Complex  
 at Mt Olive Correctional Complex
- D. Additional defendants: Officers Smith, Officer Thomas  
3 other unknown un-named Officers  
All Officer Prison Guards All at Mt. Olive Correctional Complex

#### IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Dps

Notes of Statement of Claim. attached - 2018-2019  
2018-2019

The NAACP filing was told it went to wrong person, but  
when emailed to correct person no response. Since  
the 2018 beating, I pleaded with the Mt  
Olive Correctional complex to send me to  
get an MRI or a CT Scan. My mother  
also has been fighting continuously to make  
Mt Olive Correctional Complex & Dr Lyle to  
listen. I have started having serious headaches  
again seizure become more frequently & severe where  
my breathing would cut off during seizures. My mother  
pleaded to Dr Lyle & Armes, Nurse Gibbons to send me  
to have a MRI or CT scan. Especially after the

## IV. Statement of Claim (continued):

beating on 10/25/18. My mother even called Dr Hoyt at Huntington Cabell Hospital & spoke with Megan his nurse. Megan called and tried to get Mt. Olive to bring me in for a follow-up to give me a MRI or CT scan in the process, but after many calls from Megan & my mother, they both were told no. Mrs. Gregory at Mt Olive stated they did not need Huntington <sup>WY</sup> ~~WV~~ Hospital help & that they could handle any medical needs pertaining to me. My seizures →

## V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.  
Cite no cases or statutes.

Seek monetary damages & justice if possible against the guards & Dr. Lykes. I asked that Thomas especially if he is looked into for I had several advised me he kicked another inmate all in the head not to long after me. I have heard many stories of severe beatings & yes deaths. This I cannot verify, but can only speak of my own case.

V. Relief (continued):

Please request the original Attorney Del Giudice who never took the case but viewed the Records on 2 CDs at the Attorney General's Office stated time discrepancies based on what was listed on the length per the disk. Poor lighting/shaded & time missing. <sup>Tape 11/26/18</sup> My mother was angry for he did nothing about it which clearly shows the copy on disk were altered. The notes by Dr Lyle conflict w/disk also. VII. Counsel The original ~~disk~~ <sup>Tape</sup> need to be reviewed.

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

n/A.

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes



No

\_\_\_\_\_

If so, state the name(s) and address(es) of each lawyer contacted:

Attorney John Stroc <sup>del</sup> ~~the~~, Del Giudice,  
P.O. Box 2582 1219 Virginia St E  
Charleston, WV 25329 Ste 100, Charleston, WV  
25301

If not, state your reasons: \_\_\_\_\_

C. Have you previously had a lawyer representing you in a civil action in this court?

Yes

\_\_\_\_\_

No





Attached  
from NAACP  
filing used  
for the section  
1983 filing

Attached are  
other grievances  
against M.T. Davis  
Correctional Complex  
show poor treatment

Statement of Chaem  
 Addition from the beginning  
 2018-2019

to: NAACP  
 ATTN: LEGAL REDRESS COMMITTEE  
 P.O. BOX 61  
 CHARLESTON, WV 25301

Attach this info to:

IN ADDITION TO PAGE 8

I was approached by five prison guards at Mt Olive Correctional Complex outside my cell stating I was being taken to the whole. I was asked to put my hands outside the door to be cuffed. I asked why what did I do wrong. I was told for trying to comprise a female guard with a written poem out of a book I purchased. I responded what? I asked her to read it and tell me what she thought of it. I have a female friend I have been talking to for sometime over the phone and the poem was for her. I just copied it to send to her. This they did not believe me for the female guard had taken it to the captain and stated I gave it to her for her. I tried to explain that was not the case and who it was for. They did not want to hear it. I refused to put my hands through cell hole for cuffing for I asked for them to please go get the captain so I could explain the situation to him myself. However, they took it as I am going to be a fighter meaning I guess I will fight whoever come in the cell. I explained several times and loudly so others could hear me in my defense under no circumstances I am not trying of thinking of fighting anyone. I just wanted the captain present to hear my side of the story. I have had open brain surgery back in March for the removal of a cancerous tumor which has left me with thought-process, some memory issues that come and go, and a serious disability communicating on paper and/or emailing or texting. I know what I want to say, but does not always come out correctly. This is along with me speech disability and experiencing weakness has been triggered from the operation which was advised that I could loose my speech completely which I did. With speech therapy received after the operation has helped. However, once I realized the guards were not going to listen to me, I assumed the position in leaning up against the wall facing it directly with my hands up to show no resistance at all. I was still slammed forcefully on the cement floor and taken to the whole where I was slammed to the floor and kicked repeatedly for a period of time in the head and face. I was screaming please stop I just had surgery your hurting me please stop. I was forcefully kick numerous times over and over again by 5 prison guards one know as Smith and another Johnson. I knew of them but not sure of the others. I ware glasses and they were broken completely in half. As I was being beating with kicks to the head, one guard knelled down and grabbed my hand and proceeding in forcing my fingers completely backwards to the point they were almost broken and left me along with my head especially on the side where I had the operation in March of 2018 an incision from top to bottom of ear lob/face. They knew of my operation and my screams could be heard throughout screaming in pain. When they were through, I was taking to medical for I was kicked and beating almost unconscious to where I was so dizzy and in pain, vision completely blurred and could not really stand on my own without feeling light headed also. I was never since than while in the hole for almost 60 days I did not receive any medical treatment and medical never came to get me with complaint of pain and dizziness. I was taken once to medical only due to my mother calling Mr. Cedric Green Coordinator in place by DOC corporate office for complaints. My mother requested and demand an investigation and for me to be seen by medical. My mother spoke with Mr. Cedric Green on Oct. 30th. He called at that point Warden Terry who advised that a the incident was caught on the camera and a full investigation will be done to determine if excessive force was used and if so action will be taking. Since then I had been calling to see the outcome and for my son to receive medical treatment for I called Dr. Hoyt's office his brain surgeon and advised what had taken place. They were very concerning especially know he just had the operation and it was long and intensive procedure for the large tumor was that close to his speech. The surgery was done while he was technically awake which is a new procedure that Dr. Hoyt is well know for. None of my son's doctors wanted to perform the surgery for the fear of serious disabilities in complete lost of speech altogether along with other possibilities. My mother faught hard to get me the operation for a complete lost of speech. I am sending this document of complaint I am sending the original complaint for I found it was never filed. However, Mr. Aimes the warden. Mr. Terry the initial warden became no longer it appears after the beating. I am not sure why. Still

my since Oct. of 2018 my mother has been fighting for results and medical care for me. I have put in all the grievances expected and was advised the type of forced used on me was justified. I thought I was going to die that night of Oct. 24 of 2018. I worry all the time that the guards my try to rid of me for opening my mouth. Recently due to my mother continuing in her crusade for justice for me and medical care, my mother contacted Governor James C. Justice of Charlestown, WV and spoke with Mrs. Lindsey Atkins who handles complaints for the Governor. A formal complaint was made and I believe the Mr. Cedric Green was contacted per my mother statement for Mrs. Atkins advised that she would turn the complaint over to Mr. Green who could handle this complaint issue also. My mother advised that Mr. Green was advised by her back in Oct. He remained in contact and seemed very sincere until. The decision was made to that he force was justified. My mother called him repeatedly after Dec. 16, 2018 I believe to call her about what outcome more assistance in getting me proper medical treatment for the one time I was taken to medical after my mother called complaining to Mr. Green the medical provider on staff turned and looked at me and took off his glasses and with a mean and any look and looked at me and said so what is the issue. I advised of what happened to me and his remark was "he was not there so he is not aware of such a beating I received and sent me back without even examining me at all nor checking my fingers or requesting x-rays of my fingers and head. So I realize no matter what I am not going to get medical care. I put in grievance after grievance help and results in seeing that these guard answer to what they did to me. Right after my beating I was advised that one of the known guards for using excessive force beat another inmate the same kicking in the head. Finally after my mother contacted the Governor's office a couple of days ago, now I am being taken get glasses again which the appointment was yesterday and it will take a month to receive them. Plus Mr. Cedric Green called my mother and advised the same and that doctor appointments are scheduled for me and the speech therapy that my mother has been complaining about that was not being done and me forever. I was due to go into see Dr. Hoyt on Nov. 17 for a follow up from the last MRI was done since he operation and I was not taken and at that point my face and head had large knots and bruises hand still hurting. My mother advised that Megan called to make sure I was brought in and she never received a follow-up call as stated nor rescheduled. Megan is doctor Hoyt my brain surgeon Medical Nurse. Dr. Murphy, Charles is my Radiologist Oncologist at Huntington Cabell Hospital in Huntington, WV. His orders were that I need to have a MRI the rest my life every 2-4 months due to the Grade 2 cancerous tumor removed by Dr. Hoyt. My mother and I inquired about it. My mother received a call yesterday Jan. 14th from Mr. Cedric Green stating that I am was setup for doctor appts: Appt to see Dr. Stephen for new glasses, I was put on the list for speech therapy which was supposed of been setup upon my coming to Mt. Olive. My doctor recommended it for I as well as my mother was told the prison is the best for medical conditions and disabilities like mine. My mother advised Mr. Aimes the new warden called her and advised he had been tied up with many things since his arrival at Mt. and he meant to get back to her about me. He advised also of appts. setup for me. Why did it take my mother calling repeatedly then calling the Governor to get any kind of results. However, we are satisfied of he appts., but the beating to the head that I took in Oct. has left me with the feeling well since the beating. My brain and inside my head feels like there something is swelling. I am feeling dizzy at times and my speech was getting better and now my mother even stated that my speech is becoming slurred again and I am back to struggling to get words out when talking and it's frustrating when I know what I want to say and it does not come out the way I want. I am back to struggling for words that I once knew. Just recently, my mother had to really talk with me and lay me out for I found I am getting angry for no reason and she said I am all over the place in talking to me. I had to hung up on me because of the emotions I expressing. I called her back and apologize for I do not know why and what cause the change in temperment. I am real scare and concern something is going on inside and if I do not get to my doctor soon for my next MRI something may happen to me. My mother is concerned also. Mr. Aimes spoke with me directly about my concerns. He mentioned that my glasses were supposed to be broken and I told him look at the they are for you do not see they are all taped up. I have suffered so much at the hands of prison guards. I appreciated after all I went through at South Central Regional Jail that Mr. Lenard allowed my mother to come and visit me 1 hr. a day at Huntington Cabell Hospital. My mother saw my condition where I could not speak any words at all only make soundsk. My writing was difficult and my thought process was bad. I knew what I wanted to say but could not get my thoughts and words together. I am able to write better, but before when I would email my mother she stated it was like reading the alphabet just letters that did not fomr any words really. My mother love she was able to work with me and started being able to make out what I was tryig to say. She was the one that picked up on all the issues I was experiencing and called my doctor. He stated hopefully it would be temporarily. I hope to fully one day recover, but it seems like that may not happen especially with the beating I endored at the hands of the Mt. Olive correctional guards. My mother had a aunt who was beaten in the head so many times that she lost her speeh forever and her thought process was never the same. She fears this for me. In addition to all I have and are suffering, after being released from Huntington Cabell Hospital on March the 11th, The guard who was transporting me back to Western Regional Jail had to stop over in Mason County Jail left me in the custody of the Mason County Sheriff office. However, when the guard who was transporting me came back to get me that same day, the Mason County Sheriff opened the cell after being hand cuffed and snatched me out of the cell by the front of my clothing then started slapping me all in my head on the side I just had surgery on and the incision was clear very much seen and sore. I could not really speak, but tried my best to sound out why you hitting me for, what did I do to you. The laughed at my inability to talk properly and sound words thought it was funny each time I was slapped upside the head. The guard who transported me back never mentioned to his superiors what happened to me. That in it's self left me in pain. The operation was only a week prior to my release back to jail. It was on the same day. Once back at western regional jail I was told I had to go to medical for a while until my strength and incision healed and I was out of any danger of relaps. I was scared to go for I suffered such bad treatment each time I went prior to my operation. However, since I was scared and confused after leaving the hospital and receiving the treatment at the hands of the Mason County Sheriff office I really feared for my life and was afraid stay in medical. I had seizures in their presents and was put on my stomach and left alone and ended up having several more and no one was there to care for me. I managed to get to the door and hit the door to get medicals attention. Since I refused to go to medical I was sprayed with two large cans of mase all over my face by the guards. After I was allowed to call my mother and did my best to tell her what was going on and my fear. She spoke with the

head officer and begged him not to hurt me for I was still not yet in the right frame of mind. I was slammed to the floor after being mased. Both cans were emptied on me. I was heard by other inmates screaming so much pain from the spraying of mase. My mother called back and spoke with the captain and was told he will be allowed to wash the mase off after I calmed down. The other complaint that never reached you shows the bad treatment I received until they realized my mother was not playing in suing them unless something was done about the horrible treatment of the medical department and their lies the administration and the poor and inhumane treatment of the guards. My attorney had to actually go to the judge and protecutor to have me immediately removed from Northern regional jail due to the servere treatment there. Myself, my attorney and my mother had great concerns and fear of death at the hands of the guard and lack of medical treatment of the medical dept. I am writing this complaint to make you aware of the servere treatment we are receiving at the hands of prison guard and they enjoy inflicting pain on us. If these guards are allowed to get away with this type of treatment someone will definitely be killed at their hands if not already done. My life was almost taken by the hands of 5 guards at Mt. Olive Correction Complex. I appreciate what Mr. Aimes is doing in now trying to set things right. But these guard need to answer to their behavior. Thank you for hearing me out. Please help me find justice and compersation for what has been done to me.

--  
~~Beautiful women should not be~~

Oscar Chapman

thanks

Copy of my  
mother's ltr  
to ~~the~~ NAAP



①

2-15-19  
Dear Mr. Martino:  
NAACP Representatives!

My son asked me send this complaint to you. Mr. Martino he is not ~~being~~ represented. We tried to obtain an attorney, but since we sent him the grievances he asked for, he stated he didn't receive all the grievances. I stated per my son the document he received was all on one form, he has not responded nor replied to my calls. So we have no attorney. My son's criminal attorney as a ~~law~~ assisting in making sure my assisted in making sure he signed off on the forms and completed information where needed. Please hear my son's complaint. I tried to tell you before there was no attorney. Please help



my son. His last grievance was denied due to they needed know if he was filing for ~~comfirm~~ compensation. Since it was not a part of the last grievance it was denied from the last outside grievance committee. I plead for the NAACP help in getting justice or compensation for beating my son took at the hands of my guards at Mt. Olive Correctional Complex. He was repeatedly kicked in the head & face until he was completely dizzy and in a lot of pain. He could be heard screaming in pain begging for them to stop. My son in March of last year underwent <sup>through</sup> massive brain surgery where he had a grade 2 cancerous tumor removed which left him with disabilities. These guards were aware of his surgery his incision



②

He is down the side of his head from top to end of ear or pass it, I called my son's doctors and advise of what happened, I was told by my son he was almost kicked ~~on~~ unconscious. I was told by the Governor's complaint specialist, Mr. Green, Cedric and my son that my son was taken to the infirmary after the beating. I was finally told by the prison he was taken to infirmary and given pain medication and released. He has suffered lightness pain in his head. He refuses to go back to medical for the last time he went the doctor never examined him and said he was not there to see what happened and sent my son back. Now I am also fighting to get his MRI's done as recommended. My



Son's doctors had a appt. set for him on Nov. 17<sup>th</sup> of 2018 and this was a follow up from his las MRI. The prison ~~number~~ took him for it was only a couple of weeks after the ~~super~~ beating. I questioned why and was never told. Since the beating my son has not had his every 2-4 month MRI's. After the beating my son was left with knots all over his head & face & bruises. Obviously the prison ~~does~~ did not want anyone from the outside to see the damage done. My son was almost beating unconscious plus one guard tried to break his fingers on one hand by bending them completely back wards. Mr. Martin the fight continues not only for justice but medically



3

If my son does not get these MRI requested by Dr. Thomas Murphy of Cabell Comprehensive Cancer Center/Hospital in Huntington WV. I have given & spoken to head of medical, Mr. Cedric Green, Mrs. Gregory Asst. to Medical and others about why they have not reached out to ~~doctor~~ Dr. Murphy to get a release form for medical records for my son to sign so they can get his records showing his tumor was cancerous and continues MRIs are recommend. Medical refuses to believe it was cancerous so they will not allow the MRIs at all now. I spoke with the doctors office and was advise to call his surgeon Dr. Hoyt who actually put the order in that medical claims they do not see in the records. Please help my son. I have included



the initial complaint from the last time so you can see everything. The beating took place on 10-26-18.

Mr. Martin or whoever reviews please help. Please assisted in this request. I was told by Mr. Cedric Green that if damage is found from the beating then complaints can be filed. He also went on to say that there is no way I would see live footage of the beating caught on tape. I advised that advised I would see that someone see it and I will not stop until something is done.

My contact number is 302-426-0608.

Thank you  
Mrs. Chapman

48

Dear Mr. Martin:

I was not sure of which deadline date to use for the release and disclaimer section.

It's not employment nor a service render? I put 180/300. Please correct which date on the deadline is correct.

My son's attorney had a visit with my son to sign off on the complaint also.

Please call me or my son's attorney at the deadline dated.

My son's attorney's name is Mr. Neal Hamilton 304-366-0573. You can call me at 302-476-0608 or

5

email me at sunseria2@  
gmail.com

Thank You

## IV. Statement of claim

9-15

(2)

became a joke to some guards. I had a serious seizure while on the phone with my mother and two guards saw what was happening and laughed at me, asking why was my face all twisted. I could not speak for I lose my speech also during my seizures. They thought it was funny to them, instead of coming to my aide. They asked "what you can't speak?" Then laughed again. I signaled that I could not talk. They said oh you want us to get someone from medical? Well the nurse stated believe it or not that she was not aware of any seizures nor me being treated for seizures. Once I was able to speak, I told her she is lying for it's in my records and I am on medication for seizures, so I again went untreated. I finally called my mother back and told her why I stopped talking and the bad treatment I experienced. My mother called & spoke with male nurse the next day and he apologized and said he was off the night before. My mother was very angry. It got to the point no one would call my mother

⑤

back nor listening to me concerning my seizure & asthma episodes. I was being given my seizure medication for a while which me and my mother complained about. This was blamed on me for not being awake when they are to awaken you. It was not until April of 2018 after suffering a major seizure in the cafeteria in the presence of a guard that my condition was becoming really serious. I collapsed to the floor & the guard helped me up and asked if I was ok. until he saw my face which was severely twisted, I was ~~was~~ <sup>was</sup> ~~druling~~ <sup>druling</sup> out of one side of my mouth and could not speak. I was rushed to medical and the guard said this man has had a stroke Dr Lyle & nurse said no he didn't it's just a seizure. The guard and Dr went back and forth, I was watch for 24 hrs and sent back to my cell. Since then my seizures & not being able to speak or breath got worse. I begged the nurse givens & Dr Lyle to call Huntington or take me to be seen they stated there



940

④

was no reason too nor do a CT Scan. My mother fought with Mt Olive over and over again, she threaten to sue them. Dr Lyle decided after the serious seizure and my mother complaining to send me April of 2018 to have a MRI. However after the MRI was completed Dr Lyle nor anyone advised of the results which were devastating.

It took my mother reaching out to Lydia Milnes of Mountain State Justice who obtained all the medical files for me and my mother from Mt Olive. After my mother fully viewed the large file and noted information found two MRIs one from April 2018 & 2019. The 2018 MRI was never advised nor disclosed to me. My mother called me and explained that the prison Dr. Lyle hid the 2018 MRI due to it showed after 5 months of my brain surgery the guards that kicked me all in my heads done serious damage. The whole time I was suffering from encephalomalacia - cerebral softening of the brain due to injury.



G-10

(5)

Lydia obtained the record only over the summer of this year. However, Dr Kyle stated in the records that I needed to have MRIs done every 2-4 months which never happen until April of 2018. A second ~~MR~~ MRI was done April 2019 showing he was fine no issues at all. This was untrue for Dr Bhatia who is now my brain surgeon at Ruby Hospital WBU in Morgantown, WV. I was taken to him after suffering another major seizure that resulted in a stroke which left my mouth slightly twisted & drooping. This was after I ~~relapsed~~ relapsed due to a seizure & busted up my mouth & broke glass on a cement block in my cell, at NCRS. I have been having seizures back to back almost on a regular bases. My mother and NCRS are aware of my now serious condition. Dr Bhatia did a MRI 3 weeks ago and in addition ~~I~~ my tumor is back and even larger 4.6 cm. ~~He~~ He was so angry for he

①

9-10

stated if Mt Olive had of taken me back to Huntington or an outsider to be treated from the MRI results of April 2018 my life would not be threatened by condition. I now have been advised my tumor is back & larger and my condition threatening my life. I have a IDH-1 mutated tumor that's causing all the issues I am having. If not removed I will die. I was put on Tissova 500mg which 60 ct cost \$28,000+. I am currently waiting for the medication to be delivered to NCRJ. Dr Huffman who comes every Wednesday has been working on with Prime Care a third party to help with the cost of the medication for me. I finally we receive it. Tissova is a preoperative chemotherapy medication which is ~~the~~ extremely expensive. I must be on the medication prior to surgery for my brain cancer. After the open brain surgery second time around I will be put on Temodar along with Tissova for life. I should

(7)

96

have been examine at a hospital after the beating and Dr Lyle failed to advise me of my condition. Dr Lyle was negligent & the guards added extremely to my condition. I do not know if I will survive this time without losing my speech altogether or worse. Please help me seek ~~monetary~~ monetary relief & justice. Dr Lyle admitted to me I have brain damage only. Dr Huffman is making sure I am cured for properly and if I have any side effects from the chemo medication once started on this week once received I am hospitalized for care.

Policy Directive 335.00  
01 February 2014  
Attachment #2

RECEIVED

OCT 29 2018

# APPROVED FOR INMATE VIEWING

W. Va. Division of Corrections Inmate Grievance Form

Grievance No.

18.moc.02.883

Oscar Chapman  
Inmate Name

3548901  
DOC #

10/26/18 1124 1203  
Date of Grievance

State Nature of Grievance / Issue to be addressed (Note 1 issue per grievance be concise file with Unit Manager NO WRITING ON BACK):

When I was and the holding cell's a couple co's was dress up for war in camp without being push me on the floor and starting kicking me on the head on corners trying to break my fingers saying stop kicking and I keeping stop kicking me and the head I just got surgery kicking me when and now I putting in a cell they kept looking for a reason that I want give em and they st Relief Sought (state what you want):

Oscar Chapman  
Inmate's Signature

(The inmate may attach 1 8.5 x 11 sheet if necessary at this level only)

Unit Manager's Response (attach additional sheet if needed)

Accepted ☒ Rejected ☐ Reason for rejection:

Date: 29 Oct 18

Response on Merits if accepted:

All of this incident was video taped. You have no relief want I don't know what you want.

Signature

Resolved: (If so initial and give copy to unit manager)

Appealed to Warden/Administrator

(Initial) Date: Nov 1, 2018

If no response at initial level is included the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Inmate's Signature

Date

Action by Warden/Administrator:

Accepted ☐ Rejected ☒ Reason for rejection:

Date: NOV 14 2018

Response on Merits if accepted: ☐ Remand to Unit for further action

☐ Affirm unit and/or deny grievance ☐ Grant the Grievance as specified

Comments

Warden/Administrator's Signature

NOV 14 2018 (Attach additional sheet if necessary)  
Date

Resolved: (If so initial and give copy to unit manager)

Appealed to Commissioner

(Initial)

If no response at Warden/Administrator's level is included, the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Inmate's Signature

Date

NOV 20 2018  
NOV 20 2018

Action by Commissioner:

Accepted ☐ Rejected ☐ No Response on Merits if accepted: ☐ Affirm Wa

Rejected:

Excessive Pages  
Use 335.0/325.0  
☒ untimely

no relief sought

NOV 27 2018  
Date:

mp) Other memo attached  
West Virginia Division of Corrections & Rehabilitation

RECEIVED

**STROEBEL & STROEBEL, P.L.L.C.**

405 Capitol Street ~ Suite 102  
P. O. Box 2582  
Charleston, West Virginia 25329  
Phone: (304) 346-0197  
Fax: (304) 346-6029

April 13, 2020

Oscar Chapman #3548901  
Mount Olive Correctional Center  
One Mountainside Way  
Mt. Olive, WV 25185

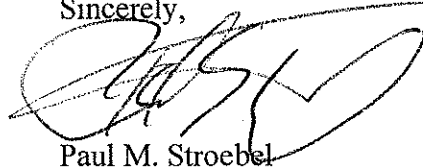
***Re: Non-Representation***

Dear Oscar:

Please be advised that our firm is unable to represent you regarding your potential claims. We have enclosed the grievances previously forwarded to our office. If you wish to seek other assistance, you may contact the West Virginia State Bar's Lawyer Referral Service, which provides guidance to people trying to find an attorney, at [www.wvlawyerreferral.org](http://www.wvlawyerreferral.org). If you do not have Internet access, you may call the West Virginia State Bar at (800) 642-3617 on a Tuesday evening to speak with a volunteer lawyer. You have a limited time to address your concerns. As a result, we suggest you seek another attorney at your earliest convenience.

We wish you the best. Should you have any questions, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Stroebel", with a long horizontal line extending to the right.

Paul M. Stroebel

PS/jll  
Enclosure

cc: Ms. Sunsuria Chapman  
52 Willow Place  
Newark, Delaware 19702

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MAR 12 2019

QUILLIAMS 2.

Received  
3-12-19Policy Directive 335.00  
01 February 2014  
Attachment #2

## APPROVED FOR INMATE VIEWING

W.Va. Division of Corrections Inmate Grievance Form

Grievance No.

P. max. Q2 247

Oscar Chapman

3548901  
DOC #3/10/2019 263 338  
Date of Grievance

State Nature of Grievance / Issue to be addressed (Note 1 issue per grievance be concise file with Unit Manager NO WRITING ON BACK):

medical department is refusing my MRI and also treatment for my health

Relief Sought (state what you want):

I want like medical staff treatment for my health and take me to my MRI

Oscar Chapman  
Inmate's Signature

(The inmate may attach 1 8.5 x 11 sheet if necessary at this level only)

Unit Manager's Response (attach additional sheet if needed)

Accepted \_\_\_\_\_ Rejected \_\_\_\_\_ Reason for rejection: \_\_\_\_\_ Date: \_\_\_\_\_

Response on Merits if accepted:

Mr. Chapman, The physician makes the decision whether or not an MRI is necessary based on his assessment. At this time, he has not determined an MRI necessary.  
P. Warden R. W. 3-14-19

Signature

Resolved: \_\_\_\_\_ (If so initial and give copy to unit manager) Appealed to Warden/Administrator \_\_\_\_\_ (Initial) Date: 3/10/2019

If no response at initial level is included the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Inmate's Signature

Date

Action by Warden/Administrator:

Accepted ☒ Rejected \_\_\_\_\_ Reason for rejection: \_\_\_\_\_ Date: \_\_\_\_\_

Response on Merits if accepted: \_\_\_\_\_ Remand to Unit for further action

HSA  
Affirm unit and/or deny grievance \_\_\_\_\_ Grant the Grievance as specified

Comments

MAR 2 6 2019

(Attach additional sheet if necessary)  
Date

Warden/Administrator's Signature

Resolved: \_\_\_\_\_ (If so initial and give copy to unit manager)

Appealed to Commissioner

(Initial)

If no response at Warden/Administrator's level is included, the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature

3/27/2019

Affirmed

Grievance Denied  
Central Office  
Grievance Review

Received

APR 02 2019

West Virginia Division of  
Corrections & Rehabilitation

Date:

Other, memo attached.

MAR 20 2019

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Action by Commissioner:

Accepted \_\_\_\_\_ Rejected \_\_\_\_\_ Reason

Response on Merits if accepted: \_\_\_\_\_ Affirm Warden/Administrator

10 - other



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JUN 06 2019

QUILLIAMS 2

Policy Directive 335.00  
01 February 2014  
Attachment #2

## APPROVED FOR INMATE VIEWING

W.Va. Division of Corrections Inmate Grievance Form

Grievance No.

Oscar Chapman

3548901  
DOC #6/17/2019  
Date of Grievance19 max 02-437  
523 567

State Nature of Grievance / Issue to be addressed (Note 1 issue per grievance be concise file with Unit Manager NO WRITING ON BACK):

I was falsely accused as policy directive 325.00 when Meadows invite me he said they put me on video attacked Richard Statcher but in my hearing and write up it said I attacked Charles Brannon which one they lying and he said it happen at 6:00pm and my representative told him it was at 6:15pm he said the video is 2min he lying because I know I didn't do anything and I call Charles as a witnesses Relief Sought (state what you want): I want to get out the holes let me out please but he refuse I already got bail on a couple law suit in a bail know that don't make this another one violation of rights

Oscar Chapman  
(The inmate may attach 1 8.5 x 11 sheet if necessary at this level only)

Inmate's Signature

Unit Manager's Response (attach additional sheet if needed)

Accepted ☒ Rejected ☐ Reason for rejection: \_\_\_\_\_ Date: 07 JUN 19

Response on Merits if accepted:

I CANNOT OVERTURN THE DECISION BY THE MAGISTRATE  
OR INVESTIGATOR  
CAPT. [Signature]

Signature

Resolved: \_\_\_\_\_ (if so initial and give copy to unit manager) Appealed to Warden/Administrator ☒ (Initial) Date: 6/17/2019

If no response at initial level is included the inmate certifies that he/she has tendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature6/17/2019  
Date

Action by Warden/Administrator:

Accepted ☐ Rejected ☒ Reason for rejection: Issue pertaining to disciplinary matter we not addressed by the grievance procedure. Date: JUN 17 2019Response on Merits if accepted: \_\_\_\_\_ Remand to Unit for further action \_\_\_\_\_ Affirm unit and/or deny grievance \_\_\_\_\_ Grant the Grievance as specified  
Comments: \_\_\_\_\_

Warden/Administrator's Signature

JUN 17 2019  
DateResolved: \_\_\_\_\_ (if so initial and give copy to unit manager) Appealed to Commissioner ☒ (Initial)

If no response at Warden/Administrator's level is included, the inmate certifies that he/she has tendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature6/17/2019  
Date

Action by Commissioner:

Accepted ☐ Rejected ☒ Reason: \_\_\_\_\_  
Response on Merits if accepted: \_\_\_\_\_ Affirm Ward

Rejected:

☒ Excessive Pages  
☒ Use 335.0/325.0
Date: \_\_\_\_\_  
Other, memo attached: \_\_\_\_\_West Virginia Division of  
Corrections & Rehabilitation

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JUN 13 2019  
WARDEN'S OFFICE  
MOC

Policy Directive 335.00  
01 February 2014  
Attachment #2

# APPROVED FOR INMATE VIEWING

W.Va. Division of Corrections Inmate Grievance Form

Grievance No. 19 - max - Q2 - 492

Oscar Chapman  
Inmate Name

3548901  
DOC #

7/30/2019 754 828  
Date of Grievance

State Nature of Grievance / Issue to be addressed (Note 1 issue per grievance be concise file with Unit Manager NO WRITING ON BACK):

was coming back from fac on the Night Shift and the CO's put the handcuff on my hands  
and feet to tight and I got hurt in my body when I got shot a couple time. I couldn't  
walk in I kept telling them that but they keep pushing me and when we by 4 PM and  
of on Q2 they slam me on my head knowing Brian Hoffman and broke my glasses they did  
this for no reason at all I am scare for my life with the CO's day or night shift on Q2  
Relief Sought (state what you want): I want to get compensation and I want to have my glasses repair or fix because  
I can't see without them and I want the videos all of them plus all the video for grievance  
18 max Q2-883 and again 18 max Q2-883 so I can give it to my lawyer or you can send a copy  
Oscar Chapman (The inmate may attach 1 8.5 x 11 sheet if necessary at this level only)

Inmate's Signature

Unit Manager's Response (attach additional sheet if needed)

Accepted X Rejected \_\_\_\_\_ Reason for rejection: \_\_\_\_\_ Date: 01 AUG 19

Response on Merits if accepted:

ALL USES OF FORCE ARE REVIEWED, I CAN NOT GRANT  
COMPENSATION.

CAPT. [Signature]  
Signature

Resolved: \_\_\_\_\_ (If so Initial and give copy to unit manager) Appealed to Warden/Administrator VR (Initial) Date: 8/15/2019

If no response at initial level is included the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature

8/15/2019  
Date

Action by Warden/Administrator:

Accepted ✓ Rejected \_\_\_\_\_ Reason for rejection: \_\_\_\_\_ Date: \_\_\_\_\_

Response on Merits if accepted: \_\_\_\_\_ Remand to Unit for further action \_\_\_\_\_ Affirm unit and/or deny grievance \_\_\_\_\_ Grant the Grievance as specified \_\_\_\_\_

Comments

[Signature]  
Warden/Administrator's Signature

AUG 27 2019 (Attach additional sheet if necessary)  
Date

Resolved: \_\_\_\_\_ (If so initial and give copy to unit manager) Appealed to Commissioner \_\_\_\_\_ (Initial)

If no response at Warden/Administrator's level is included, the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature

9/3/2019  
Affirmed

Received

AUG 19 2019

WARDEN'S OFFICE  
MOCC

Accepted by: Commissioner

Accepted ✓ Rejected \_\_\_\_\_  
Response on Merits if accepted: \_\_\_\_\_ Affirm



Grievance Denied  
Central Office  
Grievance Review

West Virginia Division of  
Corrections & Rehabilitation  
Date: \_\_\_\_\_  
Other, memo attached.



Policy Directive 335.00  
01 February 2014  
Attachment #2

## APPROVED FOR INMATE VIEWING

W.Va. Division of Corrections Inmate Grievance Form

Grievance No.

19 mac 02 402

Oscar Chapman  
Inmate Name

3548701  
DOC #

6/16/2019  
Date of Grievance

581 641

State Nature of Grievance / Issue to be addressed (Note 1 issue per grievance be concise file with Unit Manager NO WRITING ON

BACK:

back on when co's beat me up for no reason grievance no 18 mac e-02-88  
on 10/26/2018 you did nothing about and you don't know how to take  
care of me medical you appear my speech class but never give  
other thing but for the co's beating me up and other thing as I  
want to be compensation for what I been thru

Relief Sought (state what you

want): I want to be compensation

Oscar Chapman

(The inmate may attach 1 8.5 x 41 sheet if necessary at this level only)

Inmate's Signature

Unit Manager's Response (attach additional sheet if needed)

Accepted ☒ Rejected ☐ Reason for rejection:

Date: 19 JUN 19

Response on Merits if accepted:

I CAN NOT WANT YOU COMPENSATION. IF YOU NEED  
MEDICAL CARE SUBMIT A TICKET CALL SLIP.

Signature

Resolved: (If so initial and give copy to unit manager)

Appealed to Warden/Administrator

(Initial)

Date: 6/19/2019

If no response at initial level is included the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Inmate's Signature

Date

Action by Warden/Administrator:

Accepted ☐Rejected ☒

Reason for rejection:

Issue allegedly occurred on

JUL 08 2019

Date:

Response on Merits if accepted: ☐ Remand to Unit for further action ☐ Affirm unit and/or deny grievance ☐ Grant the Grievance as specified

Comments

JUL 08 2019

(Attach additional sheet if necessary)

Warden/Administrator's Signature

Date

Resolved: (If so initial and give copy to unit manager)

Appealed to Commissioner

(Initial)

If no response at Warden/Administrator's level is included, the inmate certifies that he/she has rendered this grievance as indicated above and no response has been issued at that level within the time frames set forth in Policy Directive 335.00

Oscar Chapman  
Inmate's Signature

Date

7/9/2019

Received

JUL 11 2019

Action by Commissioner:

Accepted ☐Rejected ☒

Reason

Response on Merits if accepted: ☐ Affirm Warden

Rejected:

Excessive Pages

Use 335.0/325.0

Unfairly

Virginia Division of  
Corrections & Rehabilitation  
Date:

Other, memo attached.

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MOC

JUN 20 2019

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12

If so, state the lawyer's name and address:

N/A

Signed this 23 day of September, 2020.

✓ Oscar Chapach  
Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 9/23/2020 X  
(Date)

Oscar Chapach  
Signature of Movant/Plaintiff X

\_\_\_\_\_  
Signature of Attorney  
(if any)





FROM:

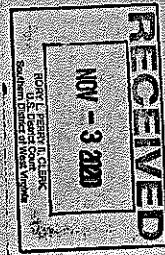
Oscar T. Chapman III  
4 hays ln  
Greenwood WV 26415  
#354 8901

TO:

Clark At The United States  
US DISTRICT COURT  
300 VIRGINIA STREET E  
CHARLESTON WV 25301  
Charleston WV 25329

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OCT 31, 20  
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